

## 9. Investigation Report

Detainee Custody Officer  
David Webb

**Irrelevant/DPA**

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Investigator Dan Tomkins / John Howgate Authorised by Paul Kempster

### Section 1: Matter to be investigated

BBC raised allegations which may constitute misconduct in a letter on 23rd August 2017 to G4s about DCO David Webb alleged involvement in the following incidents: (Allegations below as per letter)

1. On the 27<sup>th</sup> of May, while getting kitted up for a planned restraint, you instructed an inexperienced member of staff, in relation to a shield, to “hit with the edge anywhere between the knee and the throat and you just keep fucking going”, “hit him with the big gun”. When asked if you meant the shield, you said “yes you don’t stop until he’s got nowhere else to go”. The detainee in question had a heart condition and had undergone triple bypass heart surgery.
2. On the 1<sup>st</sup> of June, you stated that during the restraint of Kosovan detainee **D149** you hurt his **D149** arm so severely, his screams could be heard in other parts of the IRC.
3. Also on 1<sup>st</sup> of June, you said in a discussion with another officer that assaulting detainees only takes place inside detainee’s rooms, which we understood to mean where there is no CCTV.

Date due for completion 15/09/2017

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## Section 2: Scope of Investigation

To investigate the allegations made by the BBC against G4s staff working at Gatwick Immigration Removal Centre.

Interview individual members of staff where allegations have been made against  
Interview witnesses

Review documentary evidence

Examine CCTV and Body Worn Video Camera footage

Review Panorama footage

To report findings and conclusions to the Commissioning Authority.

## Section 3: Summary of interview with the alleged wrong doer (where applicable)

### Allegation 1:

**On the 27th of May, while getting kitted up for a planned restraint, you instructed an inexperienced member of staff, in relation to a shield, to “hit with the edge anywhere between the knee and the throat and you just keep fucking going”, “hit him with the big gun”. When asked if you meant the shield, you said “yes you don’t stop until he’s got nowhere else to go”. The detainee in question had a heart condition and had undergone triple bypass heart surgery.**

DCO Webb confirmed that he had worked at Brook House IRC for approximately 3 ½ years working on Eden wing within the establishment. He stated that he had completed his initial ITC training and mandatory refresher training and he had recently completed his Control and Restraint Instructors course in the last month and had been successful in attaining this qualification.

DCO Webb confirmed in relation to allegation one above, that he was on duty on the day of the incident published by the BBC in their letter to G4S.

DCO Webb confirmed he had received notification of the allegation made by the BBC in relation to the concerns raised concerning himself and that he had watched the BBC Panorama programme on Monday 4<sup>th</sup> September.

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DCO Webb was asked to give his account of the footage and allegation made by the BBC where he stated, “hit with the edge anywhere between the knee and the throat and you just keep fucking going”.

DCO Webb responded without hesitation that he had made the comments relating to striking the detainee with the leading edge of the shield, he stated that his comment at the time was meant to describe how to approach the detainee with the shield at 45 degrees as per the control and restraint manual.

When asked to explain what his definition of striking between the knee and the throat appertained to, DCO Webb stated that this in his recollection of what he meant was about detainees with height disparity or their location in a room such as being stood on a bed so the point of contact may be anywhere about their person.

DCO Webb did state that referring to the throat was wrong and now that he has received further professional training as a Control and Restraint instructor he would have explained himself more clearly.

DCO Webb admitted and understands his comments were unprofessional and wrong in relation to his explanation which was captured by the BBC regarding use of the shield.

DCO Webb continued that at the time of the recording of the footage he was not a qualified C&R instructor and now having gained this qualification he is aware that the shield is used to make contact with the detainee not to ‘hit’ the detainee.

DCO Webb denied swearing however and it is unclear and not defined by the BBC footage as to whether or not DCO Webb said, “just keep going” or “just keep fucking going”. DCO Webb acknowledged that his comments were inappropriate.

Referring to the comments “hit him with the big gun” DCO Webb refutes that he made this comment stating that where he is from “guns” is slang for arms and at the point this was shown on the Panorama programme he was holding the shield.

DCO Webb stated that having viewed the programme and having viewed the footage he wasn’t happy with it and the programme portrayed himself and the company in a bad light. He stated he takes C&R seriously and wants what is best. DCO Webb stated that “clearly there were things shown by the BBC which were unacceptable”.

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**Allegation 2**

**On the 1st of June, you stated that during the restraint of Kosovan detainee D149 you hurt his (D149) arm so severely, his screams could be heard in other parts of the IRC.**

DCO Webb was asked about the incident which related to D149 and if he recalled to what the allegation referred to.

DCO Webb recalled the incident which had come about after an event where D149 had attempted to grab a bunch of keys from another DCO (Proven to be DCO Callum Tulley). He stated that D149 had initially been compliant with instructions from the supervising DCM whilst in the room and whilst initially out on the landing.

DCO Webb stated he noticed a change in the demeanour of D149 which eventually resulted in the necessity for use of force.

DCO Webb described that D149 was screaming and shouting throughout the duration of the incident. He was in his words very loud from the start to the finish.

The allegation refers to his screams being heard across the IRC and DCO Webb agreed that due to the time of day of the incident when the detainees were locked away for roll count prior to the evening meal then he probably would have been heard across different parts of the IRC.

DCO Webb's original use of force Annex A was read out and he confirmed that this was his report into the incident and that he did have control of the detainees' right arm during the incident.

He was asked if he may have been excessive in the use of force to which he said no and that minimal force had been used despite the non-compliance from D149 who was kicking out at staff for the majority of the incident of use of force.

DCO Webb asked if he had spoken about the incident to anyone and he stated that he didn't recall specifically talking about the incident and the restraint but it may have been said following the incident in what may be described as "locker room talk".

When asked what this meant he stated it may have been said but not in front of detainees as that would have been "wrong".

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DCO Webb was asked did he say he had hurt the detainee's arm so severely that he screamed to the extent to which he did. DCO Webb stated that he had not been participant to such an act and if he had then surely the detainee would have made a complaint.

### **Allegation 3**

**Also on 1st of June, you said in a discussion with another officer that assaulting detainees only takes place inside detainee's rooms, which we understood to mean where there is no CCTV**

DCO Webb stated that he recalls having a conversation in respect of talking about assaults; he stated that it was around the time he was preparing for his Control and Restraint instructor's course.

DCO Webb explained that his interpretation relating to any allegations of assaults taking place in cells in his words "perhaps when a detainee tries to stop you leaving the room" or "becomes aggressive with you in a room then you may have to assault them to get away".

When asked what he meant by the term "assault" he stated, "you have to put hands on them, assault them to get out". He continued to change his terminology away from using the word assault to use Personal Safety Techniques.

Again, he was asked if he believed assaults took place in detainee's rooms he said "no I wouldn't say that happens or that staff may do that".

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**Section 4: Summary of any third party interviews**

None

**Section 5: Relevant documents reviewed**

Brook House IRC Camcorder Evidence of C&R Planned Intervention 27<sup>th</sup> May  
Detainee: **D1914** – Allegation 1 REF: BH DISC 002

Brook House IRC Camcorder footage of C&R Planned Intervention 31<sup>st</sup> May  
Detainee: **D149** - Allegation 2 REF: BH DISC 002

Panorama programme footage 4<sup>th</sup> September 2017 (31:56)

**Allegation 1**

Use of Force Reports 27<sup>th</sup> May 2017 **D1914**

Incident Report BH/379/17

Report of Injury to Detainee **D1914**

**Allegation 2**

SIR 1041/2017 – **D149** attempting to take keys from DCO Tulley

Use of Force Reports 31<sup>st</sup> May 2017 **D149**

Incident Report BH/384/17

Report of Injury to Detainee **D149** 31<sup>st</sup> May 2017

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## Section 6: Findings

### Allegation 1      Substantiated

On the 27th of May, while getting kitted up for a planned restraint, you instructed an inexperienced member of staff, in relation to a shield, to “hit with the edge anywhere between the knee and the throat and you just keep fucking going”, “hit him with the big gun”. When asked if you meant the shield, you said “yes you don’t stop until he’s got nowhere else to go”. The detainee in question had a heart condition and had undergone triple bypass heart surgery.

DCO Webb recalls the incident where he is part of three officer team preparing for an intervention. He recognises that his comments and actions regarding the use of a shield was incorrect and inappropriate.

The Panorama footage clearly identified DCO Webb being present and making the comments relating to striking a detainee between the knee and throat with a shield.

He contests that his statements were delivered with malice and that the footage portrayed the incident in its worst possible context.

DCO Webb has since qualified as a Control and Restraint instructor.

DCO Webb has recognised that what he stated was unprofessional and in relation to the allegation made by the BBC, he accepted that he has made comments which were unprofessional and inappropriate.

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## **Allegation 2**

## **Unsubstantiated**

**On the 1st of June, you stated that during the restraint of Kosovan detainee D149 you hurt his ( D149 ) arm so severely, his screams could be heard in other parts of the IRC**

DCO Webb disputes the allegation that he made comments that he had hurt the detainee's arm.

He recalls the incident with Detainee D149 where initially he was compliant with instructions but later become non-compliant.

Brook House Camcorder footage was reviewed relating to the incident confirms the incident escalated from compliance to non-compliance. D149 is extremely vocal from the initial use of force where what is apparent the staff use minimum levels of restraint.

There is no inference that excessive force is used and the injuries reported are consistent with the use of force and application of ratchet handcuffs.

The Control and Restraint Incident was protracted and throughout D149 is heard to be screaming and shouting.

DCO Webb disputes the allegations made by the BBC in relation to stating that he hurt a detainee's arm so much his screams could be heard around the IRC.

The hand-held camcorder footage captured by staff at Brook House covers the span of the incident and from review of the incident there is no evidence from this footage of any excessive or inappropriate use of force.

Detainee D149 is vocal throughout the incident. The detention centre was on patrol state due to the time of day and it is therefore reasonable to accept that he could be heard around the centre.

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The F213 Injury to Detainee Report records injuries that are consistent following protracted use of force where ratchet handcuffs have been applied due to non-compliance by the detainee.

There is no supporting evidence that DCO Webb has directly made such comments but he admitted that staff do become involved in “locker room chat” which inferred that such conversations between staff is common practice.

There is insufficient evidence available to support this allegation made by the BBC in relation to DCO Webb making the statement to staff about hurting the detainees arm so much that his screams could be heard across the centre.

**Allegation 3**      **Unsubstantiated**

**Also on 1st of June, you said in a discussion with another officer that assaulting detainees only takes place inside detainee’s rooms, which we understood to mean where there is no CCTV**

DCO Webb states he had made comments similar to the allegation made by the BBC. His interpretation surrounding the context of any such comments were in relation to staff members being in rooms with detainees and having to put hands on them to make good their exit.

DCO Webb referred initially to such incidents described above as “assaults” but later referred to such incidents as the use of Personal Safety Techniques.

There is insufficient evidence to substantiate the allegation made by the BBC.

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## Section 7: Conclusions

DCO Webb was the subject of three allegations made by the BBC. Of the three allegations, there was supporting evidence from the Panorama programme in relation to one of these allegations.

On the basis of the evidence available the investigation team have found that there is insufficient evidence to substantiate the allegations made in two out of the three concerns.

In relation to allegation 1 made by the BBC there is sufficient evidence to substantiate all or some of this concern which is therefore a matter for the Commissioning Authority to consider.

Completed  
by Dan Tomkins

Signature \_\_\_\_\_

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